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Secretariat

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# Secretary-General's Bulletin

## Records and archives of the United Nations Monitoring, Verification and Inspection Commission

The Secretary-General, for the purpose of establishing a regime for the management, care, preservation, storage, disposition of and access to the records and archives of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC), and of its predecessor organization, the United Nations Special Commission (UNSCOM), in accordance with the decisions of the Security Council set forth in Council resolution 1762 (2007) and in the letters dated 21 November 2007 (S/2007/680) and 27 June 2008 (S/2008/423) from the President of the Security Council to the Secretary-General, promulgates the following:

## Part I
## General provisions

### Section 1
### Scope of the present bulletin

The present bulletin shall apply to the records and archives, in all forms and media, which came into the possession of UNMOVIC or was generated by UNMOVIC and its predecessor organization, UNSCOM, that were transferred to the custody of the Archives and Records Management Section of the Department of Management.

### Section 2
### Transfer of records and archives to the Archives and Records Management Section

2.1 The Archives and Records Management Section of the Department of Management shall provide secure and separate storage for the UNMOVIC records and archives (hereinafter "UNMOVIC information") within the premises of the United Nations, which are within the Headquarters district as defined in the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, done at Lake Success on 26 June 1947, as from time to time supplemented.

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2.2 Subsequent to their transfer to storage pursuant to section 2.1, the Archives and Records Management Section of the Department of Management shall take such steps as may from time to time be necessary to maintain and store UNMOVIC information for continued use, preservation and disposition. For this purpose, only the Chief of the Section and such officials of the Section as he or she may designate in writing may have access to the "confidential" and "strictly confidential" UNMOVIC information for the maintenance, preservation and disposition thereof.

## Part II
## Access to and disposition of UNMOVIC information

### Section 3
### Access to UNMOVIC information

3.1 Access to and use of UNMOVIC information that has not been classified shall be governed by the general rules and procedures laid down in Secretary-General's bulletins or in other administrative issuances issued by the Secretary-General or by the Under-Secretary-General for Management regarding access to and use of the records and archives of the United Nations.

3.2 In accordance with the decisions of the Security Council referred to above and subject to section 6 below, access to information classified by UNMOVIC as "confidential" shall be prohibited for a period of 30 years and information classified by UNMOVIC as "strictly confidential" shall be prohibited for a period of 60 years. Both periods shall start from 1 March 2008.

### Section 4
### Establishment of an ad hoc Committee to consider declassification and early access to classified UNMOVIC information

4.1 By decision of the Security Council (S/2007/680), the Secretary-General shall nominate for approval by the Security Council an ad hoc three-person committee ("the ad hoc Committee") composed of one senior-level representative each from the Department of Political Affairs, the Office of Disarmament Affairs and the Office of Legal Affairs, to consider and make recommendations to the Secretary-General and the Security Council on the declassification of UNMOVIC information and on eligible requests for early (privileged) access to classified UNMOVIC information. The Committee shall be chaired by the representative of the Office of Disarmament Affairs.

4.2 The ad hoc Committee shall be assisted in its work by the Archives and Records Management Section of the Department of Management and such other offices of the Secretariat as the Committee requires. The ad hoc Committee shall also be able to draw upon expert advice and assistance from the organizations of the United Nations system and, as necessary, from former personnel of UNMOVIC or its predecessor UNSCOM and other outside experts. In doing so, the ad hoc Committee will ensure that access to classified UNMOVIC information by such experts is granted only under conditions of strict confidentiality. Such access shall be monitored by the Archives and Records Management Section of the Department of Management to prevent unauthorized copying or removal of material from the archives.

**Section 5**
**Declassification review of classified UNMOVIC information**

5.1 Following the expiration of the 30- and 60-year classification periods, a review of the "confidential" and "strictly confidential" information will be conducted by the ad hoc Committee, which shall recommend to the Secretary-General whether all or part of the information should be declassified. In conducting its review, the ad hoc Committee shall consider the continued relevance and impact of the criteria specified in section 6.3 (b), (c), (d) and (e) to the information under review. Where the review includes information obtained by UNMOVIC or UNSCOM in confidence from a Member State, the review process shall include consultation between the Secretary-General and that Member State.

5.2 The Secretary-General shall inform the Security Council of any recommendation to declassify confidential information for its consideration and decision under a non-objection procedure.

5.3 Should the determination be that information remain classified, a further review shall be initiated five years from the date of expiration of the relevant classification period and at successive five-year intervals thereafter.

**Section 6**
**Early (privileged) access to classified UNMOVIC information**

6.1 Access to information classified as "confidential" or "strictly confidential" prior to the expiration of the 30- and 60-year classification periods specified in section 3.2 may be granted to Member States and relevant international organizations such as the International Atomic Energy Agency (IAEA), the Organization for the Prohibition of Chemical Weapons (OPCW), the United Nations Environment Programme (UNEP), and the World Health Organization (WHO), on a case-by-case basis, by the Secretary-General, following careful consideration of the reasons for allowing such access, and in accordance with the following conditions and procedures.

6.2 The Secretary-General shall forward any request received from a Member State or relevant international organization for early access to the ad hoc Committee for review. Where the review includes information obtained by UNMOVIC or UNSCOM in confidence from a Member State, the review process shall include consultation between the Secretary-General and that Member State.

6.3 The ad hoc Committee shall weigh the following considerations in deciding on whether to recommend that access to classified information should be granted:

(a) The purpose for which the access is sought;

(b) The potential danger of the information in question to the non-proliferation, safety and environmental mandates of international organizations;

(c) The sensitive nature of the information related to proliferation;

(d) The sensitivity of sources;

(e) The safety of individuals;

(f) Whether disclosure may be necessary for or interfere with official ongoing investigations by competent authorities.

6.4 The ad hoc Committee shall determine which information, if any, is relevant to the request. Should the Committee recommend to the Secretary-General that access to the information requested, in whole or in part, should be granted, it shall specify the conditions under which access to, viewing of and use of the information may be permitted.

6.5 The Secretary-General shall send the recommendation to the Security Council for its decision under a non-objection procedure. Should the Security Council approve a recommendation to grant early access to information, the Secretary-General, in coordination with the Office of Legal Affairs, shall notify the Member State or relevant international organization, and the Archives and Records Management Section of the Department of Management shall prepare the relevant information for access and use by the requestor under the conditions approved by the Security Council.

6.6 The United Nations may charge the Member State or international organization reasonable fees for complying with any request for access to any UNMOVIC information.

**Section 7**
**Disposition**

In respect of the activities outlined in section 3.1 above, the Chief of the Archives and Records Management Section of the Department of Management shall, in consultation with the designated successor office and in compliance with the approved retention schedule, advise the schedule for disposal of the records that no longer have sufficient historical or other value. The Section shall dispose of records so stored on receipt of written confirmation from the designated successor office.

## Part III
## Final provisions

**Section 8**
**Final provisions**

The present bulletin shall enter into force on 1 August 2009.

(*Signed*) **BAN** Ki-moon
Secretary-General